



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TJR

Docket No: 4047-99

10 December 1999

[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Marine Corps on 16 July 1987 at the age of 18. Your record reflects that you served for about two years and seven months without disciplinary incident but on 2 February 1990 you received nonjudicial punishment (NJP) for black-marketing alcoholic beverages. The punishment imposed was forfeitures totalling \$888 and restriction for four days. On 15 June 1990 you were convicted by general court-martial (GCM) of 31 incidents of uttering checks in the amount of \$3,496.89. You were sentenced to confinement for a year, forfeitures totalling \$6,000, reduction to paygrade E-1, and a bad conduct discharge (BCD).

Subsequently, the BCD was approved at all levels of review and ordered executed. On 20 February 1992 you received a BCD.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, good post service, and your contention that you would like your discharge upgraded so that you may obtain financial credit. However, the Board concluded these

factors were not sufficient to warrant a change in the characterization your discharge given the seriousness of your misconduct. Given all the circumstances of your case, the Board concluded your discharge was proper as issued and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director